

February 19, 1975

SENATOR BARNETT: Presently, as the testimony was given to us by the different judges as we had our hearings across... hearing in a state and they came from Scottsbluff and North Platte, Hastings, and everywhere was that some of them were doing it now but there was a legal question as to whether they could do it and some of the judges said, well, we can't do it. There is no legal way that we can do it. So they are trying to pass a bill that all the courts can follow the same procedures and, at the present time, the judges that are using it, they determine if it is being followed. Now how they do it, I can't honestly answer. Maybe Senator Luedtke or somebody else that was at the hearing could tell me how they do it but I can't answer it, other than to say that they are responsible.

SENATOR STONEY: Thank you.

SPEAKER: Do you wish to speak?

SENATOR STONEY: May I ask Senator Luedtke if he might yield?

SENATOR LUEDTKE: Yes, I'll yield.

SPEAKER: Senator Luedtke yields.

SENATOR LUEDTKE: Senator Stoney, you want me to answer that first question you had on...

SENATOR STONEY: Yes.

SENATOR LUEDTKE: What is the procedure? The procedure is in any juvenile case, there is an investigation by the juvenile office which then makes a report to the juvenile court and this information is available to the juvenile court judge, whether he be a county judge or a separate juvenile court judge in Douglas and Lancaster County and yes, there are workers, juvenile officers in these courts, who do check up not only on background of these people but go into the homes now. And really there is nothing changed in what we are now doing. I am surprised that Senator Cavanaugh questioned this kind of a procedure because I know in Douglas and Lancaster Counties, the separate juvenile courts are making these kind of orders now. The only reason, Senator Stoney, that this particular bill is brought up is that they want some guidelines, the very things that Senator Koch and you and Senator Cavanaugh have brought up. They want some guidelines so that they can show the parents. We work within the perimeter of these guidelines to affect a rather broad power which juvenile courts have now to take children away from their parents. They can actually take them away. Send them away. They can... they have complete control over the children and this gets into the whole family area, when they get into the homes there and the whole family situation anyway.

SENATOR STONEY: Senator Luedtke, may I ask another question.

SENATOR LUEDTKE: Yes.

SENATOR STONEY: If we establish a procedure such as this, will it mean that we will need additional staff to handle these case load cases. I am thinking from the standpoint of adding people to make these contacts at home. Will there be additional fiscal impact?

SENATOR LUEDTKE: Not unless they are not taking care of their job now. Most of the...certainly speaking for the people that appeared at the hearing, they were doing this now. I can't